

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ROBERT J. SCHULLER ET AL.

Serial No.: 10/609,446

Group Art Unit: 3622

Examiner: Jeffrey D. Carlson

Filed: June 27, 2003

For: FOOD PRODUCT SCALE-BASED INCENTIVE SYSTEM

Attorney Docket No.: VCI 0430 PUS

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31 AND
PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)

Mail Stop AF
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition for a 1 month extension of time to respond to the Final Office Action dated February 11, 2009, thereby extending the time period within which to respond to June 11, 2009.

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated February 11, 2009 in the above-identified patent application.

The appeal fee of \$540 along with the one month extension of time fee of \$130 are being charged to Deposit Account No. 02-3978 via electronic authorization submitted concurrently herewith. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments as a result of the filing of this paper to Deposit Account No. 02-3978.

Respectfully submitted,

ROBERT J. SCHULLER ET AL.

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Date: June 11, 2009

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